



MIKE DRISCOLL  
county attorney

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AUG 24 1995

Opinion Committee  
August 21, 1995

**RQ-950**

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CMRRR No. P361898112

Honorable Dan Morales  
Attorney General of Texas  
Supreme Court Building  
P.O. Box 12548  
Austin, Tx 78711-2548

STS  
FILE # MC-35487-95  
ID. # 35487

RE: Under what circumstances is the Harris County Hospital District ("HCHD") authorized to pay for private legal counsel to represent a HCHD employee in a civil matter?

Dear General Morales:

The Harris County Attorney on behalf of HCHD, requests your opinion on the following specific question:

- (1) Is HCHD authorized to pay for private legal counsel for representation of a HCHD employee in a civil matter after the employee has already contracted on her own and made partial payment to her attorney?

The Harris County Attorney previously sought and received your opinion regarding its representation of a HCHD employee accused of committing criminal acts during the course of his duties. You informed us that we cannot represent HCHD employees in these matters or compensate attorneys, after the fact, for their representation of a HCHD employee (see DM-107). Recently, HCHD has asked us about the representation of a hospital district employee in a civil matter. Previously, on August 1, 1994, the Harris County Attorney's Office asked similar questions on behalf of Harris County (see RQ-740), but the County has not yet received an answer.

Please furnish us with an expedited opinion on the above question.

Sincerely,

MIKE DRISCOLL  
County Attorney

by:

Dori A. Wind  
DORI A. WIND  
Assistant County Attorney

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